

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

LORI ANN MORRIS

Plaintiff,

V.

**EDWARD NEAL THOMPSON and
FLORIDA TRANSFORMER,**

Defendants.

Civil Action No. 3:05-CV-962-T

**DEFENDANT EDWARD NEAL THOMPSON'S
BRIEF IN SUPPORT OF MOTION FOR MORE DEFINITE STATEMENT**

COMES NOW, Defendant Edward Neal Thompson and pursuant to this Court's order, hereby files this Brief in Support of the Motion for a More Definite Statement filed on behalf of Defendant Thompson. In support of said Brief, Defendant submits the following:

1. This lawsuit arises out of an automobile accident. The Plaintiff has sued Edward Neal Thompson, who was the driver of one of the vehicles involved in this accident. The Plaintiff has also sued Florida Transformer, alleging, among other things, that Florida Transformer was Defendant Thompson's employer.

2. Defendant Florida Transformer was the first Defendant to be served with the complaint, and in response thereto, Defendant Florida Transformer filed a Motion for a More Definite Statement.¹

3. On or about October 18, 2005, this Court entered an order requiring

¹This lawsuit was initially filed in state court. The Motion for a More Definite Statement was filed in state court before this matter was removed to this court.

Defendant Florida Transformer to file a Brief in Support of its Motion for a More Definite Statement. Defendant Florida Transformer complied with this Court's order and filed its Brief on October 31.

4. Defendant Thompson was served with the complaint after Defendant Florida Transformer responded to the Plaintiff's complaint. On October 31, 2005, Defendant Edward Thompson filed a Motion for More Definite Statement.

5. On November 4, 2005, this Court entered an order requiring Defendant Thompson to submit a Brief in Support of his Motion for a More Definite Statement.

6. Defendant Thompson hereby adopts and incorporates by reference, as if set forth fully herein, each of the arguments and contentions set forth in Defendant Florida Transformer's Brief in Support of Motion for a More Definite Statement, which was filed with this Court on October 31, 2005.

Respectfully submitted,

/s/ W. Evans Brittain

W. Evans Brittain

/s/ Richard E. Broughton

Richard E. Broughton

Attorneys for Edward Neal Thompson, Inc.

OF COUNSEL:

Ball, Ball, Matthews & Novak, P.A.
2000 Interstate Park Drive
Suite #204 [36109-5413]
P.O. Box 2148
Montgomery, Alabama 36102-2148
Telephone (334) 387-7680
Telefax (334) 387-3222
rbroughton@ball-ball.com
ebrittain@ball-ball.com

CERTIFICATE OF SERVICE

I hereby certify that on this November 8, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Henry Lee Penick
hlpenick@bham.rr.com hlpenick@penickandassoc.com

Manual Notice List

Edward A. Robinson, III
600 North Foster Street
P O Box 3131
Baton Rouge, LA 70821

/s/ W. Evans Brittain
OF COUNSEL